

AGENDA POLICE STANDARDS ADVISORY COUNCIL

DATE: March 13, 2024

TO: Police Standards Advisory Council

FROM: Mark Stephenson, Director

SUBJECT: Meeting Wednesday, March 20, 2024, 9:00 A.M.
Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68803

I. CALL TO ORDER

II. APPROVAL OF FEBRUARY 21, 2024 P.S.A.C. MINUTES

III. REPORTS

- A. Director – N.L.E.T.C.
- B. Deputy Director of Training – N.L.E.T.C.
- C. Nebraska State Patrol Training Academy
- D. Crime Commission Report

IV. OLD BUSINESS

- A. Nebraska Revised Statute 81-1462 Hiring Bonus Grant-Voting Item Attachment 1
- B. Continuing Education Medical Waiver Clarification-Discussion Item
Cody Kruse-Fremont Police Department

V. NEW BUSINESS

- A. PSD Program Update-Discussion Item

Mark Stephenson, Director

Law Enforcement Training Center

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Mike Kerby-Police Service Dog Program Administrator

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B. Academy Instructor Applications-Voting Item Attachment 2

Professional Original-Voting Item

Derek Dittman-Lincoln Police Department
Elizabeth Herink-NE State Patrol
Kevin Meyer-Lincoln Police Department

C. Approval of SDLEA-Firearms Instructor and Patrol Rifle Instructor Curriculum-Voting Item Attachment 3

D. Approval of Lincoln Police Department-Firearms Instructor and Patrol Rifle Instructor Curriculum-Voting Item Attachment 4

E. Douglas County Sheriff's Office Request to Conduct Supervision-Voting Item Attachment 5

F. Request for Approval for Firearms and Patrol Rifle Instructor In-Lieu-of NLETC Instructor Courses-Voting Item Attachment 6

Cory Amundson-BNSF Railway Police Department

G. NCO's Eligible for Automatic Extension-Voting Item

<u>Name</u>	<u>Agency</u>	<u>16 week deadline</u>
Dameion Cornell-Warburton	Webster Co SO	6/6/2024
Deion Hulse	York Co SO	5/20/2024
Violet Kluck	Aurora PD	8/12/2024
Courtney Larsen	UNK PD	7/12/2024

H. Revocation-Voluntary Surrender-Voting Item

Nicole Kruse-LR-232-22

V. OTHER BUSINESS

A. Informational Items

1. Trainees-No action needed.

Joshua Schlote-Antelope Co SO	Jaime Lopez-Lancaster Co SO
David Baltz-Broken Bow PD	Jared Scdoris-Lancaster Co SO
Brock Hobbs-Brown Co SO	Michael Cafaro-O'Neill PD
Matthew Garrelts-Gosper Co SO	Kevin Cravey-Plattsmouth PD
Dalton Swopes-Gothenburg PD	Lucas Geyer-Richardson Co SO
Mark Merryfield-Kimball PD	Isaiah Walker-Thurston Co SO
Olivia Kroese-Lancaster Co SO	

2. NCO Completed 80 hours of Training-No action needed.

Deion Hulse-York Co SO

Tanner Krogman-Johnson Co SO

B. Date, Time & Location of Next Meeting

April 17, 2024, 9:00 a.m., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68803

COMMISSION ON LAW ENFORCEMENT
AND CRIMINAL JUSTICE **REGULAR MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL**
February 21, 2024

I. CALL TO ORDER

Chairman, Sergeant Drew Bolzer called the meeting to order at 9:00 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on February 15, 2024. Roll call; Sgt. Drew Bolzer, Chief Paul Graham, Asst. Chief Brian Jackson, Chief Deputy Greg London, Mr. Matt McCarthy, Sheriff Dan Osmond, Chief Steve Reeves, Deputy Chief Sherie Thomas. Lt. Col. Buck Duis was absent from the meeting.

II. APPROVAL OF JANUARY 17, 2024 P.S.A.C. MINUTES

Sgt. Bolzer asked if there was a motion to approve the January minutes.

MOTION

Asst. Chief Jackson: I would make a motion to approve the January 2024 PSAC minutes. Mr. McCarthy seconded the motion.

Voting in favor: Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer. Motion approved.

III. REPORTS

A. Director's Report

Director Stephenson reported that he has started a discussion with the other academies and agencies regarding requests to hold their own Supervision courses. The guideline has been that we would compare the suggested curriculum from an agency wanting to conduct their own course to the schedules for the last few NLETC Supervision courses. Director Stephenson has come up with four core topics for both Supervision and Management. The core topics would be for a recommended but not mandated amount of time. There would be a minimum number of set hours for Supervision and Management. Agencies could base their own Supervision and Management courses on the core topics and minimum hours that are set by NLETC and then could expand their individual courses to cover agency specific and other topics. This would provide consistency for an agency requesting to conduct their own courses. It would also make it easier for the NLETC staff to compare the curriculums. The goal is to



present this as an agenda item at the March meeting for approval. The Supervision core topics are; standards of performance/supervising marginal or problem employees, ethics, followership/mentorship, and legal issues for supervisors. The Management core topics are background investigations, fiscal resources, leadership, and law enforcement and the media.

Asst. Chief Jackson stated that he liked sending people to NLETC for Supervision and Management as the students could network with people from different agencies. If individual agencies just started holding their own courses the agencies could become isolated from other agencies. Director Stephenson responded that if the agencies requesting to hold Supervision and Management opened up registrations to other agencies that would address the situation.

Chief Deputy London commented that they planned on letting the other SDLEA agencies attend their requested Supervision course.

Director Stephenson reported on the Academy Application quick reference guide that has been posted on the NLETC website. The next quick reference guide that will be posted will be on the appeals process.

Administrative Technician Wendy Bueno Rodriguez will be leaving the Training Center. She was hired as a temporary employee to assist the standards team. NLETC has hired a full time compliance coordinator who will start February 26th.

Sheriff Osmond asked for clarification on the PRET test. He asked if you failed the PRET test at the agency, would you have to redo the test at NLETC. Director Stephenson clarified that he had changed the policy. If you fail the PRET test at the agency you could do the retake at the agency. If an applicant had their application accepted and were deferred to another basic they would not have to redo the PRET test.

B. Deputy Director's Report

Deputy Director Boner reported that the 216th Basic currently has 46 students enrolled. The class started with 50 students. Two were separated for academic failures, one left due to family and health issues, and one was dismissed for lying to an instructor.

The following training courses were conducted in January and the beginning of February:

- Defensive Tactics Instructor Recertification-January 15-17, 2024: 14 students enrolled
- Field Training Officer-February 12-16, 2024: 25 students enrolled

Two applications have been received for the open Defensive Tactics Instructor position. Interviews are scheduled for February 29, 2024. The SFST coordinator position is still posted.

C. Nebraska State Patrol Training Academy

Sgt. Nicholas Plate appeared in place of Captain Ecklund. Sgt. Plate reported that Camp 69 currently has 15 recruits. Sgt. Plate reported on the training completed by the recruits and what training was coming up.

D. Crime Commission Report

Executive Director Tuma reported:

- Congressman Flood sponsored an event in Lincoln called "Back to Blue". The focus of the event was on retention and attracting candidates for employment as law enforcement officers.
- LB-1093 is the bill trying to correct the language of the definition of a law enforcement agency. The bill has come out of committee.
- 9 misconduct cases were referred to the Attorney General's office. Executive Director recommended getting an attorney on staff to handle the misconduct cases. There were 9 cases dismissed at the last Crime Commission meeting. There were a couple of cases where there were criminal convictions that resulted in an automatic revocation of certifications.
- The probation database that is part of the NCJIS platform is in the final stages of beta testing. It will be live soon.
- The expansion project is on track. The ARPA funds have to be spent by December 31, 2026. Dewberry is in the final design phase then the cost estimates will be submitted and then the project will be open for the bidding process.
- Joe Wilcox who has been the Crime Commission's budget analyst is retiring.

Mr. Stolz added that Chapter 8 has been approved by the Attorney General's office. It has been sent to the Governor's office. Five days after the Governor approves it, it will go into law. Asst. Chief Jackson asked about Chapter 10. Mr. Stolz replied that Chapter 10 has been at the Attorney General's office. All of the changes made to Chapter 10 have been put into LB-1093.

IV. Old Business

A. Nebraska Revised Statute 81-1462 Hiring Bonus Grant

Director Stephenson reported that NLETC was developing a policy statement to guide the application process and an application to apply for the grant. A copy of the draft was distributed to the Council. Asst. Chief Jackson reported that a small group of Council members met on the 13th of February to talk about 81-1462. The meeting was to make recommendations for the policy and practice statement. The total program cost will be 25,000,000 dollars instead of 30,000,000 dollars. The hiring bonus was decreased from 10,000 to 7,500. This could be reviewed annually to adjust if necessary.

Discussion Points:

- The request must come from the agency.
- Payment will be made to the newly hired officer.
- To qualify as a newly hired officer:
 - Full-time officer at an agency with fewer than 150 full-time officers.
 - Newly certified officer of an approved academy after January 1, 2024.
 - Completion of the reciprocity program after January 1, 2024.
 - Reactivation after January 1, 2024 when more than 2 years in an inactive status.
 - Payment amount \$7,500.00 (payable until funding is exhausted).
 - Indication or attestation from the agency that the hiring bonus will not be used to supplant the salary of the officer.
- Agency would determine when they would apply (upon certification, after field training, or whatever condition the agency sets).
- Recommended staffing level was to be determined by the Council. It was decided that if the agency had the budget to hire an officer they would be under their staffing level. The application would include a place for the agency to justify the reason for the request.
- The applications would be reviewed by the Council for approval or denial.

The application will need to specify the difference between reciprocity and reactivation. Revisions to the policy and procedure and the application will be sent out before the March meeting and will be on the agenda in March for approval.

B. Continuing Education Waiver
Sheena Glover-Omaha Fire Department

MOTION

Chief Graham: I would move that the Council go into executive session based on the prevention of needless injury to the reputation of Sheena Glover and for the purpose of executive session, we will allow the following to remain in the room; all Council members, Council Secretary, Legal Advisor, Director Mark Stephenson, and Jessica Wagoner. Chief Reeves seconded the motion.

Voting in favor: Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham. Motion approved.

The Council went into Executive Session at 9:46 a.m.

Sgt. Bolzer called the meeting back to order and asked if there was a motion to come out of executive session.

MOTION

Chief Graham: I make a motion to come out of executive session. Mr. McCarthy seconded the motion.

Voting in favor: Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson. Motion approved

The Council came out of Executive Session at 10:03 a.m.

Sgt. Bolzer asked if there was a motion.

MOTION

Deputy Chief Thomas: I move that we approve the continuing education waiver for Sheena Glover with the Omaha Fire Department. Sheriff Osmond seconded the motion.

Voting in favor: Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London. Motion approved.

The Council took a break from 10:05 a.m.-10:11 a.m.

V. New Business

A. 2023 Firearms Qualification Waivers

1. Military Waivers

Kelly Byrne-Beatrice PD	Griffen Vater-NE State Patrol
Tyler Brom-Bellevue PD	Thomas Grayson-Omaha Fire Dept.
Jason Skallberg-Lancaster Co SO	Jeremy Latham-Omaha PD
Jason Papke-Lincoln PD	William Bushhousen-Otoe Co. SO
Veronica Jones-NE State Patrol	

Mr. Stolz clarified that Continuing Education waivers for military service were automatically granted. The Firearms Qualification waivers for military service would need voted on.

After reviewing the attached waivers Sgt. Bolzer asked if there was a motion.

MOTION

Sheriff Osmond: I would make a motion that we grant the military waivers to those individuals listed on the agenda under A-1. Asst. Chief Jackson seconded the motion.

Voting in favor: Sheriff Osmond, Chief Reeves, Deputy Chief Thomas (Abstained for Jeremy Latham.), Sgt. Bolzer (Abstained for Jason Skallberg.), Chief Graham, Asst. Chief Jackson (Abstained for Jason Papke.), Chief Deputy London, Mr. McCarthy. Motion approved.

2. Extended Leave Waivers

T'Ronne Estwick-NE State Patrol	Keith Nielsen-Omaha PD
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3. Medical Waivers

David Saum-Bellevue PD	Rodney Henderson-Omaha PD
Pamela Volk-Bellevue PD	Bobbi Mallette-Omaha PD
Marla Jo Schnell-David City PD	Aram Normandin-Omaha PD
Donnie Rinehart-McCook PD	Patricia Pope-Omaha PD
Kara Hutchinson-NE State Patrol	Darienne Scott-Omaha PD
Sheena Glover-Omaha Fire Dept.	Joseph Sullivan-Omaha PD
Kylee Askew-Omaha PD	Brian Vanderheiden-Omaha PD
Alexis Boults-Omaha PD	Jeffrey Vaughn-Omaha PD
Marisa Boyce-Omaha PD	Kevin Housh-Plattsmouth PD
Robbie Goering-Jensen-Omaha PD	Charlotte Evans-UNO PD

Aaron Gurzick-Omaha PD

Sgt. Bolzer asked if there was a motion to go into executive session for the extended leave and medical waivers.

MOTION

Asst. Chief Jackson: I would move that the Council go into executive session based on the prevention of needless injury to the reputation of those listed in items V-A-2 and 3, the extended leave waivers and medical waivers. Those that may remain in the room for the executive session are all Council members, council secretary, legal advisor, Director Mark Stephenson and Jessica Wagoner. Mr. McCarthy seconded the motion.

Voting in favor: Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond. Motion approved.

The Council went into Executive Session at 10:16 a.m.

Sgt. Bolzer called the meeting back to order and asked if there was a motion to come out of executive session.

MOTION

Sheriff Osmond: I'll make that motion. Deputy Chief Thomas seconded the motion.

Voting in favor: Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves. Motion approved.

The Council came out of Executive Session at 10:27 a.m.

Sgt. Bolzer asked if there was a motion regarding the extended leave waivers.

MOTION

Sheriff Osmond: I'll make a motion that we approve the extended leave waivers for Estwick and Nielsen. Mr. McCarthy seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas (Abstained for Keith Nielsen.) Motion approved.

Sgt. Bolzer asked if there was another motion for the medical waivers.

MOTION

Asst. Chief Jackson: I make a motion for the approval of those on V-A-3 medical waivers listed on the PSAC agenda. Deputy Chief Thomas seconded the motion.

Voting in favor: Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas (Abstained for Omaha PD officers.), Sgt. Bolzer. Motion approved.

B. Academy Instructor Applications

Professional Original

Brian Poole-Lincoln PD
Adam Wright-NE State Patrol

Jon Rennerfeldt-Lincoln PD

After review by the NLETC staff, Deputy Director Boner recommends approval of all of the Professional Original academy instructor applications as presented in the agenda.

MOTION

Chief Graham: I'll make a motion to approve the Professional Original instructor applications for Brian Poole and Jon Rennerfeldt of the Lincoln Police Department and Adam Wright of the Nebraska State Patrol for the subject areas that are marked approved on the instructor applications provided in the agenda packet. Deputy Chief Thomas seconded the motion.

Voting in favor: Asst. Chief Jackson (Abstained on the Lincoln PD officers.), Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham. Motion approved

Professional Renewal

William Koepke-Lincoln PD
Andrew Vocasek-Lincoln PD

Andrew Ripley-Lincoln PD

After review by the NLETC staff, Deputy Director Boner recommended the approval of all of the Professional Renewal academy instructor applications as presented in the agenda.

MOTION

Sheriff Osmond: I'll make a motion that we approve the Professional Renewal instructor applications for William Koepke, Andrew Ripley and Andrew Vocasek of the Lincoln Police Department. Chief Graham seconded the motion.

Voting in favor: Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham. Abstained: Asst. Chief Jackson. Motion approved.

C. NCO's Eligible for Automatic Extension

Keegan Barker-Antelope Co. SO Aaron Turner-Johnson Co. SO

Director Stephenson reported that the people listed have all completed the requirements to receive the automatic extension.

Sgt. Bolzer asked if there was a motion.

MOTION

Asst. Chief Jackson: I'll make a motion to approve the automatic extension for NCO for those listed under V-C. Sheriff Osmond seconded the motion.

Voting in favor: Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London. Motion approved.

D. Extension of the 1-year Requirement for Supervision

Kreighton Baxter-Clay Co. SO Brandon Hahn-Omaha PD
Nicholas Boswell-La Vista PD Aneta Nelson-Omaha PD
Brian Mathew-La Vista PD Daniel Rubin-Omaha PD

Deputy Director Boner reported that the individuals listed have requested an extension of the 1-year requirement to attend Supervision. Kreighton Baxter from the Clay Co. Sheriff's office was promoted to Sergeant on June 1, 2023. He was unable to attend the July 2023 NLETC Supervision course. Nicholas Boswell and Brian Mathew of the La Vista Police Department were both promoted to Sergeant in June of 2023 and were unable to attend the course in July of 2023. Brandon Hahn, Aneta Nelson, and Daniel Rubin of the Omaha Police Department were all promoted during the first six months of 2023 and were scheduled to attend the Omaha Supervision course in November 2023. All of the officers except for Brandon Hahn are planning on attending the NLETC course in July 2024. Hahn had a prior commitment for that time period and would attend the first available

course after July 2024 either in Omaha or at NLETC. Deputy Director Boner recommended the approval of the extensions.

Sgt. Bolzer asked if there was a motion.

MOTION

Sheriff Osmond: I'll make a motion that we approve the extension of the 1-year requirement for Supervision for the individuals listed on the agenda item D provided that they attend the next available supervision training. Chief Graham seconded the motion.

DISCUSSION

Chief Deputy London asked what would happen if they were denied. Mr. Stolz responded that since they would be in violation of State statute they could have their certificate suspended.

Voting in favor: Sheriff Osmond, Chief Reeves, Deputy Chief Thomas (Abstained for the Omaha PD officers.), Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy. Motion approved.

E. Extension of the 1-year Requirement for Management

Brian Gertsch-Perkins Co. SO
Charles Hildebrand-York Co. SO

Chilton Leedom-Ceresco PD
Malychanh Sayaloune-Dawes Co. SO

Deputy Director Boner reported that Brian Gertsch of the Perkins Co. Sheriff's office was promoted to Chief Deputy in September 2023 and was unable to attend the October 2023 NLETC Management course. Charles Hildebrand of the York Co. Sheriff's office was promoted on March 1, 2023 and has completed the in-person portion of management training and is enrolled in the March 2024 on-line course. Chilton Leedom of the Ceresco Police Department was promoted on December 12, 2022 and was unable to complete the course in December 2023. Malychanh Sayaloune of the Dawes County Sheriff's office was promoted to Chief Deputy in September 2023. Deputy Director Boner recommends the approval of all of the extension requests.

Sgt. Bolzer asked if there was a motion.

MOTION

Chief Graham: I'll make a motion to approve the 1-year extension for management under item V-E so long as they are able to attend the upcoming NLETC course. Sheriff Osmond seconded the motion.

Voting in favor: Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond. Motion approved.

F. Sarpy County Sheriff's Office Request to Conduct Supervision

Deputy Director Boner reported that Sarpy County Sheriff's office has submitted a curriculum and schedule to hold their own Supervision course in-lieu-of the NLETC course. After review, Deputy Director Boner recommended the approval of Sarpy County's request. The curriculum submitted aligned with the NLETC curriculum that has been taught in the last four years.

There was discussion on how long the request would be for. Since the newly proposed program introduced in the Director's report hasn't been approved this would be for 2024 and would need to be voted on again for 2025. Chief Deputy London clarified that all of the agencies that are part of SDLEA could have officers attend the course.

Sgt. Bolzer asked if there was a motion.

MOTION

Asst. Chief Jackson: I would make a motion to approve for 2024 the Sarpy County Sheriff's request to conduct supervisory training. Deputy Chief Thomas seconded the motion.

Voting in favor: Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Mr. McCarthy, Sheriff Osmond, Chief Reeves. Abstained: Chief Deputy London. Motion approved.

G. Revocation

Payton Boston (LR-253-23)-Voluntary Surrender

Mr. Stolz entered two exhibits. Exhibit 1 is the Consent to Revocation of Law Enforcement Certificate and notice of waiver of hearing for Payton Boston. Exhibit 2 was the email correspondence between Payton Boston and the Crime Commission. Sgt. Bolzer accepted the exhibits and entered them into the record.

Mr. Stolz gave the factual summary of the details leading up to the revocation. Mr. Stolz asked that the Council accept the relinquishment and recommends that Mr. Boston's Law Enforcement Officer certificate be revoked for violation of his statutory duties and code of ethics per Nebraska Revised Statute 81-1403(6)(c).

Sgt. Bolzer asked if there was a motion.

MOTION

Asst. Chief Jackson: Based on the fact that the respondent has signed a Consent to Revocation of Law Enforcement Certificate and waiver of notice and hearing and has voluntarily surrendered his Nebraska Law Enforcement certificate, I make a motion that the Council accept the surrender of Payton Boston's Nebraska Law Enforcement Certificate based on the recommendation outlined by Counsel David Stolz. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Sheriff Osmond seconded the motion.

DISCUSSION

Sgt. Bolzer asked for clarification if he held a management or supervision certificate. Mr. Stolz verified that he only had the Law Enforcement certificate.

Voting in favor: Sgt. Bolzer, Chief Graham, Asst. Chief Jackson, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas. Motion approved.

V. OTHER BUSINESS

A. Informational Items

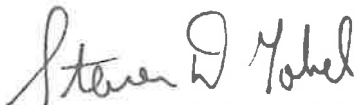
1. Trainees: The trainees were listed on the agenda for the Council's information. No action needed.
2. NCO's Completed 80 hours of training: Those who had completed the 80 hours of training were listed on the agenda for the Council's information. No action needed.

B. Date, Time & Location of Next Meeting

March 20, 2024, 9:00 A.M., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68801.

Hearing no further business, Chairman Bolzer adjourned the meeting at 10:51 a.m.

Respectfully submitted,



Steven Gobel, Council Secretary